

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

YOLANDA R. SCOTT,

Plaintiff,

vs.

**LEGACY PHARMACEUTICAL
PACKAGING, LLC,
and HUMAN RESOURCES
STAFFING, LLC,**

Defendants.

Case No. 4:10cv0576 TCM

ORDER

This employment discrimination case is before the Court on the motion of Defendant Legacy Pharmaceutical Packaging, LLC (Legacy), to compel Alternate Dispute Resolution (ADR). The Court ordered ADR following a scheduling conference at which all parties appeared through their respective counsel. In its pending motion, Legacy states that it suggested the appointment of Jerome Diekemper as the parties' neutral to Plaintiff's counsel on October 19, 2010. Hearing no response, Legacy again contacted counsel on November 29, at which time Plaintiff's counsel informed Legacy's counsel that her client could not pay for a neutral. A similar objection or concern was not raised during the scheduling conference, nor has any request been properly made to the Court for the ADR order to be vacated based on such concern. Moreover, a motion to proceed without payment of fees or

costs¹ may be filed, and has not. For these reasons, the objection apparently expressed to Legacy's counsel is unavailing.

Accordingly,

IT IS HEREBY ORDERED that the motion of Legacy Pharmaceutical Packaging, LLC, to compel alternate dispute resolution is **GRANTED**. [Doc. 29] The parties are to confer and select both a designated neutral and a date, time, and place of the ADR conference within **ten** days of the date of this Order.

/s/Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 7th day of December, 2010.

¹This form motion is available on the website for the United States District Court for the Eastern District of Missouri under "ADR" and "Pro Bono Neutral."